

## Message Text

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ACTION ARA-14

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SSO-00 NSCE-00 SP-02 PM-05 L-03 IO-13 /063 W

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O R 281750Z APR 78

FM AMEMBASSY QUITO

TO SECSTATE WASHDC IMMEDIATE 8085

INFO AMEMBASSY LA PAZ

AMEMBASSY LIMA

AMEMBASSY SANTIAGO

C O N F I D E N T I A L SECTION 1 OF 2 QUITO 2858

C O R R E C T E D C O P Y (TEXT)

E.O. 11652: GDS

TAGS: PINT, EC

SUBJECT: HUERTA TO FIGHT DISQUALIFICATION

REF: QUITO 2847;

1. BEGIN SUMMARY: THE DISQUALIFICATION OF THE LIBERAL PARTY TICKET, FRANCISCO HUERTA AND BLASCO PENAHERRERA, RECEIVED WIDE TELEVISION COVERAGE THE EVENING OF APRIL 27, FEATURING LIVE INTERVIEWS WITH THE CANDIDATES WHO ACCUSED THE GOE OF DISQUALIFYING THEM FOR POLITICAL REASONS AND VOWING TO FIGHT THE EXCLUSION. HUERTA SAID PRIVATELY THAT HE WOULD RESIST THIS ATTEMPT OF THE MILITARY TO REPLACE HIM WITH HIS UNCLE, RAUL CLEMENTE HUERTA, AS THE LIBERAL CANDIDATE AND THAT HE WOULD USE HIS KNOWLEDGE OF HIS UNCLE'S CLANDESTINE MEETINGS WITH GOVERNMENT LEADERS TO PREVENT HIS NOMINATION. WITH THE YOUNGER HUERTA DETERMINED TO FIGHT, ARMED WITH KNOWLEDGE OF NEGOTIATIONS BETWEEN THE ELDER HUERTA AND THE MILITARY GOVERNMENT, THE SCHEME TO ESTABLISH THE LATTER AS A SECRETLY OFFICIAL CANDIDATE MAY BACKFIRE. END SUMMARY.

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2. THE DISQUALIFICATION OF THE FRANCISCO HUERTA/BLASCO PENAHERRERA LIBERAL PARTY TICKET RECEIVED WIDE TELEVISION COVERAGE THE EVENING OF APRIL 27 AND THE TWO MEN WERE INTERVIEWED LIVE ON TWO QUITO TELEVISION STATIONS. HUERTA STATED THAT THEIR DISQUALIFICATION WAS BASED ON A POLITICAL DECISION BY THE MILITARY RATHER THAN ON A SUBSTANTIVE VIOLATION OF THE ELECTIONS LAW.

3. THE DECISION OF THE SUPREME ELECTORAL TRIBUNAL (SET) TO DISQUALIFY THE HUERTA/PENAHERRERA CANDIDACIES WAS REPORTEDLY NOT UNANIMOUS AND TELEVISION NEWSCASTS REPORTED POSSIBLE RESIGNATIONS FROM THE SET IN PROTEST. CHARGE LEARNED FROM FONMIN'S AMB. HERNAN VEINTIMILLA THAT HIS BROTHER FEDERICO, JUST NAMED TO REPLACE RESIGNING MEMBER AND SET PRESIDENT BENJAMIN CARRION, IS CONSIDERING RESIGNING BECAUSE THE SET HAS LOST ITS IMAGE OF BEING AN INSTITUTION INDEPENDENT OF THE MILITARY GOVERNMENT.

4. IN CONVERSATION WITH EMBOFF'S IMMEDIATELY FOLLOWING THE APRIL 27 LIVE TELEVISION INTERVIEWS, HUERTA CONFIRMED HIS INTENTION TO RESIST THE SET DECISION. ALTHOUGH HUERTA HAD NOT WANTED TO BELIEVE REPORTS THAT HIS UNCLE, RAUL CLEMENTE HUERTA, WAS PLOTTING WITH THE GOE AGAINST HIS CANDIDACY, HE HAD RELUCTANTLY DECIDED THAT THEY WERE TRUE. ASIDE FROM MEETINGS WITH MINGOV JARRIN LAST WEEK, HUERTA SAID THAT HIS UNCLE HAD ALSO MET PRIVATELY WITH ADMIRAL POVEDA DURING THE WEEK OF EASTER.

5. DURING HIS TELEVISION INTERVIEWS HUERTA REPEATEDLY ACCUSED THE GOE OF TRYING TO SET UP A "BORDABERRY" (URUGUAY) SITUATION, WITHOUT SPECIFICALLY REFERRING TO THE ELDER HUERTA. IN THE MEETING WITH EMBOFFS HUERTA SWORE TO FIGHT THE NOMINATION OF HIS UNCLE IN THE PARTY  
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USING ALL MEANS, EVEN DISCLOSING THE REPORTS THAT RAUL CLEMENTE WAS PLOTTING THIS RESULT WITH THE GOVERNMENT. HUERTA HOPES THAT THE PARTY, UNDER THE CIRCUMSTANCES, WILL REFUSE TO NOMINATE THE ELDER HUERTA AND THAT THE SITUATION WILL CREATE SUCH PRESSURES AS TO OBLIGE THE GOE, IN THE PERSON OF THE CHIEF OF THE SUPREME COURT, GONZALO KAROLYS, TO REVERSE THE DECISION TAKEN BY THE SET. (THE SET ANNOUNCED THAT HUERTA'S ONLY RECOURSE WAS TO THE SUPREME COURT BUT THAT PENAHERRERA, WHO WAS DISQUALIFIED ON A TECHNICALITY, COULD BE CONSIDERED AGAIN IF THE PARTY REAPPLIED.)

6. PENAHERRERA'S DISQUALIFICATION WAS MADE ON EVEN MORE TENUOUS GROUNDS. THE SET MAINTAINED THAT HIS NOMINATION SHOULD HAVE BEEN ACCOMPANIED BY HIS CERTIFICATE OF ACCEPTANCE. PENAHERRERA CLAIMED THAT ECUADOREAN LEGAL PRECEDENT INDICATES THAT THE SET SHOULD HAVE REQUESTED THE MISSING DOCUMENT RATHER THAN DISQUALIFY THE CANDIDACY. PARTIES FAILING TO MEET ALL OF THE LAW'S SPECIFIC PROVISIONS WERE NOTIFIED AND GIVEN THE OPPORTUNITY TO COMPLY. HUERTA AND PENAHERRERA AGREE THAT THE LATTER WAS DISQUALIFIED TO ALLOW FOR RAUL CLEMENTE'S RUNNING

MATE TO BE SOMEONE CHOSEN BY OR ACCEPTABLE TO THE GOE.,  
I.E., JAIME ACOSTA VELASCO.

7. COMMENT: THE SET'S REFUSAL TO ALLOW THE LIBERALS TO  
TEMPORARILY WITHDRAW THEIR APPLICATION FOR CANDIDACY,  
FOLLOWED WITHIN A FEW HOURS BY THE DISQUALIFICATION  
DECISION, COMBINED WITH THE LIKELY DISQUALIFICATION OF  
THE POPULAR DEMOCRACY'S OSVALDO HURTADO, WILL BE  
INTERPRETED AS AN EFFORT BY THE MILITARY TO CONTROL THE  
RETORNO PROCESS IN ITS FAVOR. ANY RESIGNATION OF THE  
MEMBERS OF THE SET FOLLOWING THE LIBERAL DISQUALIFICATION  
WILL ONLY SERVE TO REINFORCE THAT IMPRESSION.

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C O N F I D E N T I A L SECTION 2 OF 2 QUITO 2858

8. GIVEN FRANCISCO HUERTA'S DETERMINATION TO FIGHT HIS  
DISQUALIFICATION AT ALL COSTS, IT MAY BE DIFFICULT FOR  
THE ELDER HUERTA TO OBTAIN THE LIBERALS' NOMINATION.  
HIS APPARENT HOPE WAS TO STEP IN AS THE SAVIOR OF THE PARTY'S  
HOPES AFTER THE DISQUALIFICATION OF HIS NEPHEW ON LEGAL  
GROUNDS. THIS SCENARIO CANNOT BE PLAYED WITH THE YOUNGER  
HUERTA, ARMED WITH THE KNOWLEDGE OF THE ARRANGEMENT  
WITH THE GOE, DETERMINED TO RESIST AT ALL COSTS.

9. THE GOE-HUERTA RENDON SCHEME MAY BACKFIRE IF HUERTA  
RENDON IS BLOCKED BY HIS NEPHEW'S OPPOSITION AND LACK  
OF TIME FROM OBTAINING THE PARTY NOMINATION BY MAY 15.  
THE PRESIDENTIAL RACE COULD THEN BIL DOWN TO A CONTEST  
BETWEEN THE "MILITARY-APPROVED" DURAN-BALLEN AND TWO  
FORMIDABLE "NON-APPROVED" CANDIDATES, RODRIGO BORJA OF  
THE DEMOCRATIC LEFT AND JAIME ROLDOS OF THE CFP. WE  
UNDERSTAND THE LATTER TWO HAVE AGREED TO SUPPORT THE

OTHER IN A RUN-OFF, WHICH WOULD GREATLY IMPROVE THE  
POSSIBILITY OF THE MILITARY'S BEING DISAPPOINTED WITH  
THE FINAL RESULT.  
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## Message Attributes

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